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12 SYSTEMS, INC.

13
UNITED STATES DISTRICT COURT
14
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
15

16 QUALITY INVESTMENT PROPERTIES
17 SANTA CLARA, LLC,

18 Plaintiff,

19 v.

20 SERRANO ELECTRIC, INC. and
21 PETERSON POWER SYSTEMS, INC.,

22 Defendants.

23 AND RELATED CROSS ACTIONS
24

CASE NO. CV09-5376 LHK

**STIPULATION TO DISMISSAL OF
ALL CLAIMS WITH PREJUDICE,
PURSUANT TO FRCP 41 (a)(1)(A)(ii)
AND ~~PROPOSED~~ ORDER**

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STIPULATION TO DISMISSAL OF ALL CLAIMS WITH PREJUDICE

IT IS HEREBY STIPULATED by and between plaintiff Quality Investment Properties Santa Clara, LLC; defendant, cross-claimant and cross-defendant Serrano Electric, Inc.; and, defendant, cross-claimant and cross-defendant Peterson Power Systems, Inc., hereinafter referred collectively to (the "Parties" or individually referred to as a "Party"), by and through their undersigned counsel of record, that:

First, this case shall be dismissed with prejudice in its entirety, which shall include dismissal of the plaintiff's action against the defendants, and the cross-claims between the defendants;

Second, each Party shall bear its own attorneys' fees and costs in this matter except as described in paragraph 8 of the Settlement and Release Agreement; and

Third, this stipulation resolves all claims against all Parties, including the cross-claims by each defendant against each other. The Trial Date for September 27, 2011 is hereby VACATED.

Fourth, the Court shall retain jurisdiction of this matter for purposes of overseeing the enforcement of the Settlement and Release Agreement.

Agreed to by the following counsel of record:

September 26, 2011

_____/s/_____
JAMES P. DIWIK, ESQ.
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_____/s/_____
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Defendant, and Cross-Claimant Peterson
Power Systems, Inc.*

[PROPOSED] ORDER

Pursuant to the parties' Stipulation to dismiss all of the parties' claims with
prejudice in their entirety, the Court orders that all claims in this matter are dismissed with
prejudice. The Court further orders that the trial date of September 27, 2011 is
VACATED. The Court shall retain jurisdiction of this matter for purposes of overseeing
the enforcement of the Settlement and Release Agreement.

Dated: September 26, 2011



Honorable Lucy H. Koh
United States District Court